

ORIGINAL



0000145518

COMMISSIONERS

BOB STUMP, Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

RECEIVED

2013 APR 26 P 3:15

ARIZONA CORP COMMISSION
DOCKET CONTROL

BEFORE THE

ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF) DOCKET NO. W-02350A-10-0163
TUSAYAN WATER DEVELOPMENT)
ASSOCIATION, INC. FOR ESTABLISHMENT)
OF RATES FOR WATER SERVICE)

IN THE MATTER OF THE APPLICATION OF) DOCKET NO. W-20765A-10-0432
ANASAZI WATER CO., LLC FOR)
ADJUDICATION "NOT A PUBLIC SERVICE)
CORPORATION)

IN THE MATTER OF THE APPLICATION OF) DOCKET NO. W-20770A-10-0473
HYDRO-RESOURCES, INC. FOR)
ADJUDICATION "NOT A PUBLIC SERVICE)
CORPORATION") **STATUS REPORT**

Tusayan Ventures, Inc. ("TVI"), by and through counsel undersigned, submit its Status Report as required in the March 29, 2013 Procedural Order in the above captioned docket. The ALJ asked that all parties address 3 items: Update on the status of settlement efforts; the parties position regarding the best process going forward and reaching resolution; and any information the parties deem relevant about future water service in the area.

Arizona Corporation Commission

DOCKETED

APR 26 2013

DOCKETED BY

MR

SETTLEMENT EFFORTS

As it relates to Settlement efforts, TVI has had little to no contact with the parties since the last procedural conference. This is due in large part to the bulk of the negotiations needing to occur between Hydro and Anasazi. Unfortunately, TVI does not have enough information about the settlement efforts to be useful to the ACC.

TVI'S POSITION REGARDING A PATH FORWARD

As referenced above, the potential resolution lies with Hydro and Anasazi. Those two parties need to update the Commission and the other parties on the status of their negotiations thus far. Accordingly, any filing by one or both of those entities should be enlightening as to whether this docket has any chance of being resolved by a settlement. If the filings do not seem as if there will be a settlement agreement in the near future, the Commission should schedule a hearing.

FUTURE WATER SERVICE

As the Commission is grappling with the issue of adjudicating the TWDA situation, it is important to keep in mind the area around Tusayan as a whole. This area needs stability as it relates to water service. There are several different scenarios that could take place. The first scenario involves Hydro or Anasazi being a public service corporation that serves the entire area. Another situation would be Hydro having a CC&N for portion of the area and TVI having a CC&N for other parts of the area. Finally, the Town of Tusayan could be the provider for some or all of the area. This area needs flexibility to determine what will be the best outcome for the citizens of Tusayan.

Respectfully submitted this 26th day of April, 2013.



Garry D. Hays

The Law Offices of Garry D. Hays, PC
1702 East Highland Avenue, Suite 204
Phoenix, Arizona 85016

Attorney for Tusayan Ventures

ORIGINAL and thirteen (13)
copies filed on April 26, 2013 with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Copies of the foregoing
Mailed/hand delivered on April 26, 2013 to:

Janice Alward, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Steven M. Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Tim Sabo
Michael Patten
Attorneys for Global Water
400 East Van Patten Street, Suite 800
Phoenix, AZ 85004

Tami Ryall, Town Manager
TOWN OF TUSAYAN
P.O. Box 709
Tusayan, AZ 86023

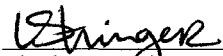
William J. Sims III
Sims Murray, Ltd.
2020 N. Central Avenue, Suite 670
Phoenix, AZ 85004

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Steven A. Hirsch
Stanley B. Lutz
BRYAN CAVE, LLP
Two North Central Avenue, Suite 2200
Phoenix, AZ 85004-4406
Attorneys for Arizona Water Company

Paul L. Brinkmann
SHORALL MCGLDRICK BRINKMAN
702 North Beaver
Flagstaff, AZ 86001
Attorney for Anasazi Water Co., LLC

Russell A. Kolsrud
Ryan J. Lorenz
CLARK HILL PLC
14850 North Scottsdale Road, Suite 500
Scottsdale, AZ 85254
Attorneys for Tusayan Water
Development Association, Inc.

By 
Lindsay Stringer
Paralegal to Garry D. Hays